

REMARKS

By this Amendment, claims 1, 5-8, 11, 15-16 and 19, and the specification are amended. The specification is amended to correct minor clerical mistakes. No new matter is added. Accordingly, after entry of this Amendment, claims 1-20 will remain pending in the patent application. Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

The disclosure was objected to because of an informality noted in the Office Action. In response, the disclosure is amended in the manner suggested by the Examiner. Accordingly, reconsideration and withdrawal of the objection to the disclosure are respectfully requested.

Claims 1-20 were objected to because of informalities noted in the Office Action. In response, claims 5-7, 8, 11 and 16 are amended in accordance with the Examiner's suggestion. With respect to claims 1 and 11, Applicant respectfully submits that the recitation "capable of" is precise and definite since the IC card is configured to perform several tasks, as recited in independent claims 1 and 11 and as explained in the detailed description. For example, the IC card is configured to exchange information through the electrical contact with an on-board unit installed in the vehicle. As another example, the IC card is configured to perform wireless communication with an antenna unit. In other words, the IC card is capable of performing several tasks. Accordingly, reconsideration and withdrawal of the objection to claims 1-20 are respectfully requested.

Claims 1-10 were rejected under 35 U.S.C. §112, second paragraph. The rejection is respectfully traversed.

Claims 1 and 6 are amended to provide antecedent basis for the limitations "process" and "exit processor", respectively. Support for the amendment to claim 1 may be found, for example, in paragraph [0004] of the detailed description. It is respectfully submitted that the amendment to claims 1 and 6 obviate the rejection.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-10 under 35 U.S.C. §112, second paragraph, are respectfully requested.

Claims 1-20 were rejected under 35 U.S.C. §103(a) based on Isobe *et al.* (U.S. Patent No. 6,019,285) (hereinafter "Isobe") in view of Kreft (U.S. Patent No. 5,206,495). The rejection is respectfully traversed.

Claim 1 recites "a card processing system using an IC card having an electrical contact and an IC card antenna, the IC card capable of exchanging information through the

electrical contact with an on-board unit installed in a vehicle using a toll road, and capable of wireless communication with an antenna unit installed at a roadside of the toll road through the IC card antenna, the card processing system comprising: a first processor configured to execute an electronic toll collection process through the wireless communication between the antenna unit installed at the roadside and the on-board unit into which the IC card is inserted to electrically connect the electrical contact of the IC card with the on-board unit; and a second processor configured to execute a non-contact IC card process through the wireless communication between the antenna unit installed at the roadside and the IC card through the IC card antenna when an error is generated in the electronic toll collection process by the first processor.”

As conceded by the Examiner, on page 4, lines 14-15 of the Office Action, Isobe fails to teach or suggest the feature of establishing a communication between the IC card and the roadside unit when an error is generated by the first processor. However, Applicant respectfully submits that there are additional features that are absent in Isobe. For example, Isobe fails to disclose, teach or suggest a second processor configured to execute a non-contact IC card process through the wireless communication between the antenna unit installed at the roadside and the IC card through the IC card antenna when an error is generated in the electronic toll collection process by the first processor.

Isobe discloses an automatic toll charging system that communicates by radio between roadside units disposed on each gate of a toll road and a vehicle-mounted unit mounted in a vehicle. (*See* col. 2, lines 50-67). Isobe also discloses that an IC card is inserted in the vehicle-mounted unit, and that communication between the vehicle-mounted unit and the roadside units is done via the radio communication part 12 arranged in the vehicle-mounted unit. (*See* col. 4, lines 3-16). Isobe is silent, however, about a second processor that executes a non-contact IC card process via wireless communication between the roadside unit and the IC card through the IC card antenna. In Isobe, the IC card does not have an antenna to communicate with a roadside unit. Furthermore, contrary to what is stated by the Office Action, the control part 23 of the IC card in Isobe is not a second processor that executes a non-contact IC card process via wireless communication since Isobe teaches that the control part 23 is merely used to execute a reading and writing procedure. (*See* col. 4, lines 40-42).

Kreft fails to remedy the deficiency of Isobe. Kreft merely discloses a chip card capable of selectively transmitting data via a contact field or transmission coils. (*See* FIG. 1). Kreft is completely silent about a second processor configured to execute a non-contact IC

card process through the wireless communication between the antenna unit installed at the roadside and the IC card through the IC card antenna when an error is generated in the electronic toll collection process by the first processor, as recited in claim 1. Therefore, any reasonable combination of Isobe and Kreft cannot result, in any way, in the invention of claim 1.

Furthermore, Applicant respectfully submits that there is no motivation or suggestion to combine the teachings of Isobe and Kreft. As mentioned previously, Isobe is completely silent about the possibility of establishing a wireless communication between the IC card and a toll road unit. Furthermore, Kreft is completely silent about a toll road system. Therefore, it is respectfully submitted that it would not have been obvious to modify Isobe in view of Kreft's teachings. For at least this reason, claim 1 is patentable over Isobe, Kreft or a combination thereof.

Claims 2-10 are patentable over Isobe, Kreft or a combination thereof, at least by virtue of their dependency from claim 1 and for the additional features recited therein.

Claim 11 is patentable over Isobe, Kreft or a combination thereof for at least the same reasons provided above in connection with claim 1. Namely, claim 11 is patentable over Isobe, Kreft or a combination thereof because this claim recites a card processing method using an IC card having an electrical contact and an IC card antenna, the IC card capable of exchanging information through the electrical contact with an on-board unit installed in a vehicle using a toll road, and capable of wireless communication with an antenna unit installed at a roadside of the toll road through the IC card antenna, the method comprising, *inter alia*, second executing a non-contact IC card process through the wireless communication between the antenna unit installed at the roadside and the IC card through the IC card antenna when an error is generated during the electronic toll collection process in the first executing. As mentioned previously, neither Isobe nor Kreft discloses, teaches or suggests these features. Therefore, any reasonable combination of Isobe and Kreft cannot result, in any way, in the invention of claim 11.

Claims 12-20 are patentable over Isobe and Kreft or a combination thereof at least by virtue of their dependency from claim 11 and for the additional features recited therein.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-20 under 35 U.S.C. §103(a) based on Isobe in view of Kreft are respectfully requested.

The rejections having been addressed, Applicant respectfully submits that the application is in condition for allowance, and a notice to that effect is earnestly solicited.

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If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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